

REMARKS

Initially, Applicant would like to express appreciation to the Examiner for the detailed Official Action provided, for the acknowledgment of Applicant's Claim for Priority and receipt of the certified copies of the priority documents, and for the acknowledgment of Applicant's Information Disclosure Statement by return of the Form PTO-1449. Applicant also notes that the Examiner has not indicated that the drawings have been approved by the Official Draftsperson on a Form PTO-948. The Examiner is thus requested to indicate that Applicant's drawings are acceptable in the next Official Action.

Applicant acknowledges with appreciation the Examiner's indication of allowable subject matter in claims 11-15.

Upon entry of the above amendment, the title and claims 11, 14, and 15 will have been amended, and claims 8-10 and 16-18 will have been canceled. Claims 1-7 and 19-26 previously withdrawn from consideration have also be canceled. Accordingly, claims 11-15 are currently pending. Applicant respectfully requests reconsideration of the outstanding objections and rejections and allowance of claims 11-15 in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

The Examiner has objected to the title for not being descriptive. In response, Applicant has amended the title to "ENDOSCOPE HAVING AN OPERATION WIRE". Accordingly, in view of the above, it is believed that the objection to the title has been

overcome, and Applicant respectfully requests reconsideration and withdrawal of the outstanding objection.

The Examiner has objected to claim 14 for minor informalities. In response, Applicant has amended claim 14 as suggested by the Examiner. Accordingly, in view of the above noted amendments and remarks, it is believed that the objection to claim 14 has been overcome, and Applicant respectfully requests reconsideration and withdrawal of the outstanding objection.

The Examiner has rejected claims 8, 10, 11, 15, and 16 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, Applicant has amended claims 11 and 15 and claims 8, 10 and 16 have been canceled. Accordingly, in view of the above noted amendments and remarks, claims 11 and 15 are believed to fully comply with 35 U.S.C. § 112, second paragraph, and Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections under 35 U.S.C. § 112, second paragraph.

The Examiner has rejected 8-10 and 16-18 under 35 U.S.C. § 102(b) as being anticipated by DOI et al. (U.S. Patent No. 5,058,603) and the Examiner has rejected claims 8-10 under 35 U.S.C. § 102(b) as being anticipated by HART (U.S. Patent No. 5,284,128).

Claims 8-10 and 16-18 have been canceled without prejudice. Furthermore, Applicant's cancellation of the subject matter of claims 8-10 and 16-18 is to expedite

prosecution and should not be construed as a surrender of the subject matter therein.

Accordingly, it is believed that the rejections of claims 8-10 and 16-18 are now moot.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of all the objections and rejections, and an early indication of the allowance of claims 11-15.

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

In response to the reasons for the indication of allowable subject matter, Applicant wishes to clarify the record with respect to the basis for the patentability of claims in the present invention.

In this regard, while Applicant does not disagree with the Examiner's indication that (as noted by the Examiner) claim 11 "recites a combination of elements wherein the operation wire runs outside the tubular member through and between the pair of grooves", Applicant further wishes to make clear that the claims in the present application each recite a particular combination of features, and that patentability of each of these claims is also based on the totality of the features recited therein, which define over the prior art.

SUMMARY AND CONCLUSION

In view of the foregoing, it is submitted that the present amendment is proper and that none of the references of record, considered alone or in any proper combination thereof, anticipate or render obvious Applicant's invention as recited in claims 11-15.

Accordingly, consideration of the present amendment, reconsideration of the outstanding Official Action, and allowance of the present amendment and all of the claims therein are respectfully requested and now believed to be appropriate.

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so.

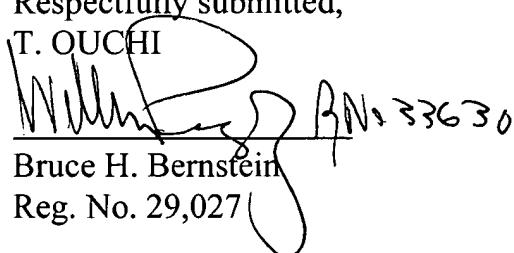
Applicant notes that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims.

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,

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